

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.47 OF 2004
IN
SUMMARY SUIT NO.3392 OF 2002

M/s.Insotherm Glass
Systems ..Plaintiffs.

Vs.

M/s.McCoy Prob
Engineers & Engineers
& Contractors Pvt. Ltd. ..Defendants.

Ms.Nita Solanki i/b.Kiran Jain & Co., i/b.Kiran Jain
& Co., Advocate for the Plaintiffs.

None for the Defendants.

CORAM: S.J.VAZIFDAR, J.
DATED: 24TH JANUARY, 2005

P.C. :

The suit is filed to recover a sum of Rs.56,97,375/- in respect of goods sold and delivered by the Plaintiff to Defendant No.1. No Summons for Judgment has been taken out against Defendant Nos.2 and 3. This Summons for Judgment is only directed against Defendant No.1. There is no dispute about the invoices under which the said goods were sold and delivered. Nor is there any dispute that the said goods were received and utilised by the Defendants. There is no affidavit in reply. There is no defence to the claim in the

suit as far as Defendant No.1 is concerned.

2. The learned counsel for the Plaintiffs files a compilation of documents. The same are taken on record and marked Exhibit "A" Collectively.

3. In the circumstances, Summons for Judgment is made absolute against Defendant No.1 and costs. Interest after the date of the suit shall be at 12% per annum.

Refund of Court fees as per rules.

For the purpose of refund, all parties including the Prothonotary and Senior Master to act on an ordinary copy of this order duly authenticated by the Associate/Court Stenographer.